

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

**DEFENDANT MARK
UNDERWOOD'S
NOTICE OF MOTION FOR
PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in support of this motion, Defendant Underwood's Local Civil Rule 56.1 Statement, the Declaration of Mark Underwood dated March 18, 2022, the Declaration of Michael de Leeuw dated March 18, 2022, with exhibits thereto, and upon the prior pleadings and proceedings herein, Defendant Mark Underwood hereby moves this Court, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21C, New York, New York 10007, before the Honorable Louis L. Stanton, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in favor of Defendant Mark Underwood and dismissing with prejudice all claims brought

against Mr. Underwood by the New York Attorney General, and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
March 18, 2022

COZEN O'CONNOR

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